

**PLANNING COMMISSION AGENDA
REGULAR MEETING
MONDAY, NOVEMBER 17, 2014**

STUDY SESSION: 4:30 P.M. – CITY COUNCIL CHAMBERS
MEETING: 5:00 P.M. - CITY COUNCIL CHAMBERS

1. Meeting Called to Order.
2. Roll Call.
3. Reading of the Minutes of the October 20, 2014 Regular Meeting.
4. Public comment period. The general public is invited to address the Planning Commission regarding any item on this agenda. The overall and individual speaking time allotments may be limited by the Chair.
5. Consider request of Doug Ritthaler, Representative, Ritz Lake, to re-plat Lots 6-14, Block 4, Ritz Lake Addition, Dodge County, Fremont, Nebraska into ten lots.
6. Consider annexation of Outlot "C" of Ritz Lake Addition, Dodge County, Fremont Nebraska.
7. Consider annexation of the Brooks Hollow Addition, Dodge County, Fremont Nebraska.
8. Consider request of Jill Crithfield, 114 East Military Ave, Dodge County, Fremont, Nebraska to allow Conditional Use Permit for a Downtown Residential Use in a Downtown Commercial Zoning District.

THIS MEETING WAS PRECEDED BY PUBLICIZED NOTICE IN THE FREMONT TRIBUNE AND THE AGENDA DISPLAYED IN THE LOBBY OF THE MUNICIPAL BUILDING AND POSTED ONLINE AT WWW.FREMONTNE.GOV; AND DISTRIBUTED TO THE PLANNING COMMISSION, MAYOR AND CITY COUNCIL ON NOVEMBER 7, 2014 AND IS OPEN TO THE PUBLIC. A COPY OF THE AGENDA WAS KEPT CONTINUALLY CURRENT AND AVAILABLE TO THE PUBLIC AT THE OFFICE OF THE CITY PLANNER, 400 EAST MILITARY. A COPY OF THE OPEN MEETING LAW IS POSTED CONTINUALLY FOR PUBLIC INSPECTION LOCATED NEAR THE ENTRANCE DOOR BY THE AGENDAS. THE PLANNING COMMISSION RESERVES THE RIGHT TO ADJUST THE ORDER OF ITEMS ON THIS AGENDA.

STAFF REPORT

TO: Planning Commission

FROM: Justin Zetterman, Interim Planning Director

DATE: November 12, 2014

SUBJECT: Request to replat Ritz Lake Addition, Lots 6-14, Block 4 into 10 lots.

<p>Recommendation: Move to approve the replat Ritz Lake Addition, Lots 6-14, Block 4</p>

Background:

The re-plat is being requested by the existing owner of Lots 6-14, Block 4, Ritz Lake Addition, City of Fremont, Nebraska. The owner is proposing to replat the above referenced 9 lots into 10 lots.

The lots sit within a MU – Mixed Use zoning district and is surrounded on all four sides by AG zoned parcels.

Findings:

The proposed re-plat will be in compliance with the requirements of the LI Limited Industrial zoning and the Future Land Use Plan, and is in conformance with the Comprehensive Plan, Blueprint for Tomorrow. All lots created by this replat meet the minimum lot size restrictions spelled out in the Mixed Use Agreement for Ritz Lake Addition.

RITZ LAKE REPLAT 2 OF LOTS 6, 7, 8, 9, 10, 11, 12, 13, 13-A AND 14, BLOCK 4

FREMONT CITY COUNCIL APPROVAL

THIS PLAT AND DEDICATION SHOWN ON THIS PLAT ARE HEREBY ACCEPTED BY THE FREMONT CITY COUNCIL, DODGE COUNTY, NEBRASKA.

THIS _____ DAY OF _____, 20____.

SCOTT GETZSCHMAN, MAYOR

KIMBERLY YOLK, CITY CLERK

PLANNING COMMISSION APPROVAL

THIS PLAT OF RITZ LAKE REPLAT 2 OF LOTS 6, 7, 8, 9, 10, 11, 12, 13, 13-A AND 14, BLOCK 4, A SUBDIVISION OF RITZ LAKE ADDITION WAS APPROVED BY THE FREMONT CITY PLANNING COMMISSION.

CHAIR _____ DATE _____

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT THE RITZ LAKE, LLC., A NEBRASKA LIMITED LIABILITY COMPANY, BEING THE OWNER AND PROPRIETOR OF THE PROPERTY DESCRIBED WITHIN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT, HAS CAUSED SAID LAND TO BE PLATTED INTO TEN (10) LOTS, TO BE NAMED AND NUMBERED AS SHOWN, SAID PLAT TO BE HEREAFTER KNOWN AS RITZ LAKE REPLAT 2 OF LOTS 6, 7, 8, 9, 10, 11, 12, 13, 13-A AND 14, BLOCK 4. SAID OWNER HEREBY RATIFIES AND APPROVES OF THE DISPOSITION OF THEIR PROPERTY, AS SHOWN ON THIS PLAT. SAID OWNER GRANTS UTILITY EASEMENTS AT THE LOCATIONS AND WIDTHS SHOWN ON THIS PLAT. WE DO ALSO GRANT EASEMENTS TO THE CITY OF FREMONT. SAID EASEMENTS ARE RESERVED FOR THE USE OF PUBLIC UTILITIES, AND ARE SUBJECT TO THE PARAMOUNT RIGHT OF THE PUBLIC UTILITY TO INSTALL, REPAIR, REPLACE AND MAINTAIN ITS INSTALLATIONS.

THE RITZ LAKE, LLC., A NEBRASKA LIMITED LIABILITY COMPANY

KENT DOUGLAS RITTHALER
MANAGING MEMBER

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA } SS
DODGE COUNTY }

ON THIS THIS _____ DAY OF _____, 20____, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY CAME KENT DOUGLAS RITTHALER, MANAGING MEMBER, THE RITZ LAKE, LLC., A NEBRASKA LIMITED LIABILITY COMPANY.

NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE MADE A GROUND SURVEY OF THE SUBDIVISION DESCRIBED HEREIN AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED AT ALL CORNERS OF LOTS, ANGLE POINTS AND ENDS OF CURVES IN RITZ LAKE REPLAT 2 OF LOTS 6, 7, 8, 9, 10, 11, 12, 13, 13-A AND 14, BLOCK 4 (LOTS NUMBERED AS SHOWN), A SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 17 NORTH, RANGE 9 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA.

August 27th, 2014
DATE
MICHAEL R. JOHNSON
1111 LINCOLN MALL, SUITE 111
LINCOLN, NE 68508

526
LS NUMBER



LEGAL DESCRIPTION

A TRACT OF LAND COMPOSED OF LOTS 6, 7, 8, 9, 10, 11, 12, 13 AND 14, BLOCK 4, RITZ LAKE ADDITION, ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 17 NORTH, RANGE 9 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

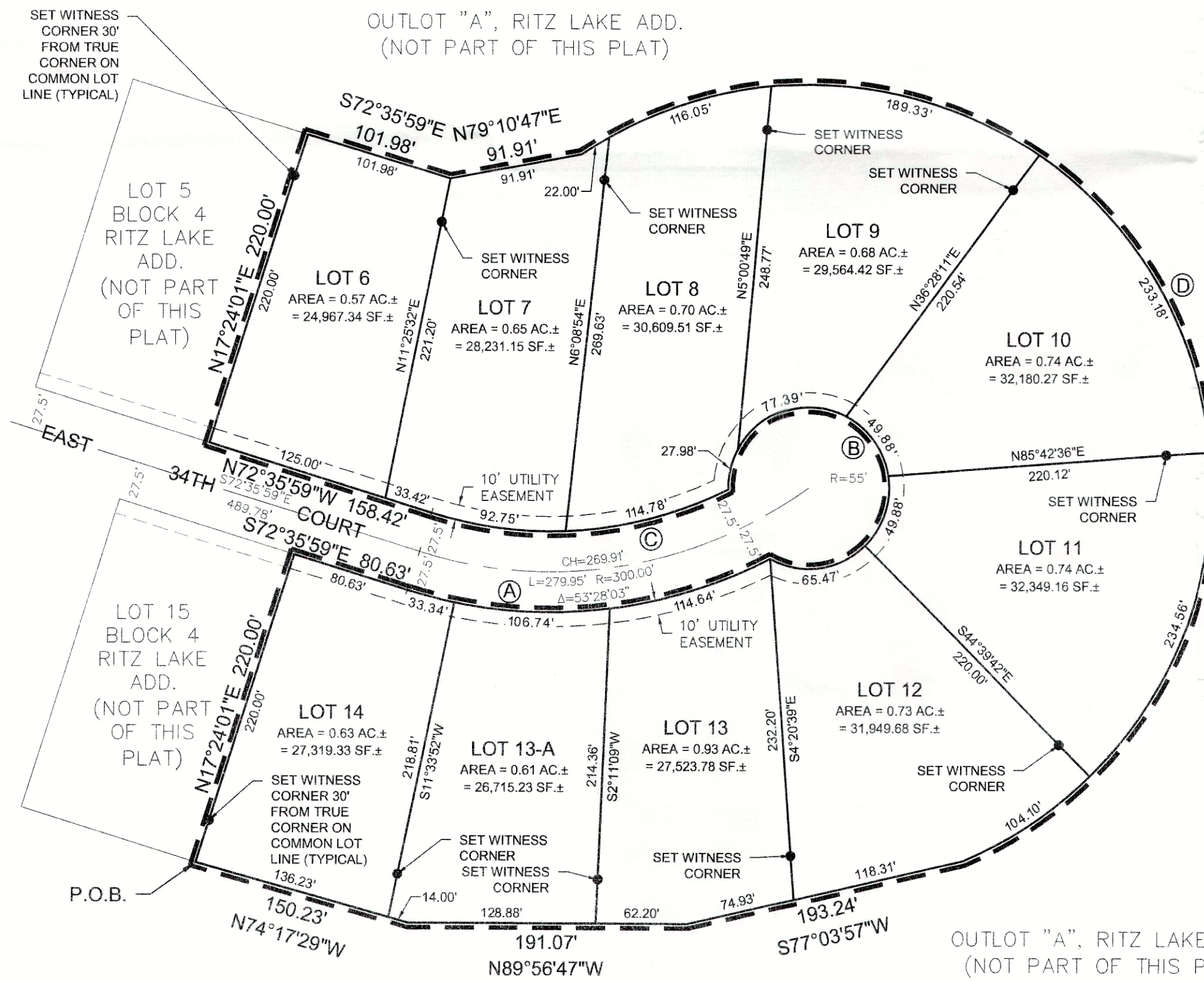
BEGINNING AT THE SOUTHWEST CORNER OF LOT 14, BLOCK 4, RITZ LAKE ADDITION, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 15, BLOCK 4, RITZ LAKE ADDITION, SAID POINT BEING A NORTH CORNER OF OUTLOT "A", RITZ LAKE ADDITION; THENCE NORTHERLY ON THE WEST LINE OF SAID LOT 14, SAID LINE BEING THE EAST LINE OF SAID LOT 15, ON AN ASSUMED BEARING OF N17°24'01"E, A DISTANCE OF 220.00' TO THE NORTHWEST CORNER OF SAID LOT 14, SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT 15, SAID POINT BEING ON A SOUTH RIGHT-OF-WAY LINE OF EAST 34TH COURT; THENCE S72°35'59"E, ON A NORTH LINE OF SAID LOT 14, SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 80.63' TO A POINT OF CURVATURE OF A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 44°45'09", A RADIUS OF 327.50', AN ARC LENGTH OF 255.80' ON A NORTH LINE OF SAID LOT 14, AND A NORTH LINE OF LOTS 13 AND 12, BLOCK 4, RITZ LAKE ADDITION, SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 249.35', A TANGENT LENGTH OF 134.83', AND A CHORD BEARING OF N85°01'26"E, TO A NORTH CORNER OF SAID LOT 12, SAID POINT BEING THE POINT OF CURVATURE OF A NON TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 299°47'24", A RADIUS OF 55.00', AN ARC LENGTH OF 287.78' ON A NORTH LINE OF SAID LOT 12, A NORTHWEST LINE OF LOT 11, BLOCK 4, RITZ LAKE ADDITION, A WEST LINE OF LOT 10, BLOCK 4, RITZ LAKE ADDITION, A SOUTHWEST LINE OF LOT 9, BLOCK 4, RITZ LAKE ADDITION AND A SOUTHEAST LINE OF LOT 8, BLOCK 4, RITZ LAKE ADDITION, SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 55.17', A TANGENT LENGTH OF 31.89', AND A CHORD BEARING OF N31°30'33"W TO A SOUTH CORNER OF SAID LOT 8, SAID POINT BEING THE POINT OF CURVATURE OF A NON TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 43°54'41", A RADIUS OF 272.50', AN ARC LENGTH OF 208.84' ON A SOUTH LINE OF SAID LOT 8, AND THE SOUTH LINE OF LOT 7, BLOCK 4, RITZ LAKE ADDITION, SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 203.77', A TANGENT LENGTH OF 109.85', AND A CHORD BEARING OF S85°26'40"W TO THE SOUTHWEST CORNER OF SAID LOT 7, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 6, BLOCK 4, RITZ LAKE ADDITION; THENCE N72°35'59"W, ON THE SOUTH LINE OF SAID LOT 6, SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 158.42' TO THE SOUTHWEST CORNER OF SAID LOT 6, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 5, BLOCK 4, RITZ LAKE ADDITION; THENCE N17°24'01"E, ON THE WEST LINE OF SAID LOT 6, SAID LINE BEING THE EAST LINE OF SAID LOT 5, A DISTANCE OF 220.00' TO THE NORTHWEST CORNER OF SAID LOT 6, SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT 5, SAID POINT BEING ON A SOUTH LINE OF SAID OUTLOT "A"; THENCE S72°35'59"E, ON THE NORTH LINE OF SAID LOT 6, SAID LINE BEING A SOUTH LINE OF SAID OUTLOT "A", A DISTANCE OF 101.98' TO THE NORTHEAST CORNER OF SAID LOT 6, SAID POINT BEING THE NORTHWEST CORNER OF SAID LOT 7; THENCE N79°10'47"E, ON A NORTH LINE OF SAID LOT 7, SAID LINE BEING A SOUTH LINE OF SAID OUTLOT "A", A DISTANCE OF 91.91' TO A POINT OF CURVATURE OF A NON TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 191°41'47", A RADIUS OF 275.00', AN ARC LENGTH OF 920.08' ON A NORTH LINE OF SAID LOT 7, THE NORTH LINE OF SAID LOT 8, THE NORTHEAST LINE OF SAID LOT 9, THE EAST LINE OF SAID LOT 10, AND THE SOUTHEAST LINE OF SAID LOT 11, SAID LINE BEING A WEST LINE OF SAID OUTLOT "A", A CHORD LENGTH OF 547.14', A TANGENT LENGTH OF 2684.88', AND A CHORD BEARING OF S28°41'19"E TO THE SOUTHWEST CORNER OF SAID LOT 11, SAID POINT BEING THE SOUTHEAST CORNER OF SAID LOT 12; THENCE S77°03'57"W, ON THE SOUTH LINE OF SAID LOT 12, SAID LINE BEING A NORTH LINE OF SAID OUTLOT "A", A DISTANCE OF 193.24' TO THE SOUTHWEST CORNER OF SAID LOT 12, SAID POINT BEING THE SOUTHEAST CORNER OF SAID LOT 13; THENCE N89°56'47"W, ON THE SOUTH LINE OF SAID LOT 13, SAID LINE BEING A NORTH LINE OF SAID OUTLOT "A", A DISTANCE OF 191.07' TO THE SOUTHWEST CORNER OF SAID LOT 13, SAID POINT BEING THE SOUTHEAST CORNER OF SAID LOT 14; THENCE N74°17'29"W, ON THE SOUTH LINE OF SAID LOT 14, SAID LINE BEING A NORTH LINE OF SAID OUTLOT "A", A DISTANCE OF 150.23' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 291,409.86 SQUARE FEET OR 6.69 ACRES, MORE OR LESS.

CURVE DATA

- (A) $\Delta=44^{\circ}45'09''$
 $R=327.50'$
 $L=255.80'$
 $CL=249.35'$
 $T=134.83'$
 $CB=N85^{\circ}01'26''E$
- (B) $\Delta=299^{\circ}47'24''$
 $R=55.00'$
 $L=287.78'$
 $CL=55.17'$
 $T=31.89'$
 $CB=N31^{\circ}30'33''W$
- (C) $\Delta=43^{\circ}54'41''$
 $R=272.50'$
 $L=208.84'$
 $CL=203.77'$
 $T=109.85'$
 $CB=S85^{\circ}26'40''W$
- (D) $\Delta=191^{\circ}41'47''$
 $R=275.00'$
 $L=920.08'$
 $CL=547.14'$
 $T=2684.88'$
 $CB=S28^{\circ}41'19''E$



0' 40' 80' 160'
SCALE IN FEET



DWG: F:\Projects\20060565\SRV\MasterXref\Replat-2\Drawings\006-0565_RLDRP2.dwg
DATE: Aug 27, 2014 2:06pm
USER: m.johnson
XREFS: MICHAEL JOHNSON_LS_NE

Staff Report

TO: Planning Commission
FROM: Justin Zetterman, City Engineer / Interim Planning Director
DATE: October 10, 2014
SUBJECT: Annexation of the remainder of Ritz Lake – Phase I

Recommendation: Make recommendation to approve the annexation

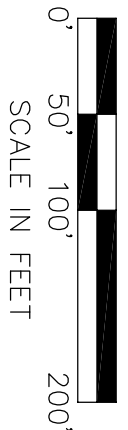
Background: The City of Fremont requests the annexation of property located in the NW ¼ of Section 7, Township 17 North, Range 9 East of the 6th P.M., Dodge County, Nebraska, more particularly described below. This tract of land represents the remainder of the first phase of the Ritz Lake development. The Developer and Project Engineer are in support of this annexation.

COMMENCING AT THE SOUTHEAST CORNER OF OUTLOT "C", RITZ LAKE ADDITION, SAID POINT BEING THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 17 NORTH, RANGE 9 EAST OF THE 6TH P.M., SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE WESTERLY ON THE SOUTH LINE OF SAID OUTLOT "C", SAID LINE BEING THE SOUTH LINE OF SAID NORTHWEST QUARTER ON AN ASSUMED BEARING OF S89°59'40"W, A DISTANCE OF 2,627.53' TO THE SOUTHWEST CORNER OF SAID OUTLOT "C", SAID POINT BEING ON A EAST RIGHT-OF-WAY LINE OF LUTHER ROAD; THENCE N00°01'47"E, ON A WEST LINE OF SAID OUTLOT "C", SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, SAID LINE ALSO BEING 75.00' EAST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTH HALF OF SAID NORTHWEST QUARTER, A DISTANCE OF 49.95' TO A NORTH CORNER OF SAID OUTLOT "C"; THENCE N89°59'18"E, ON A NORTH LINE OF SAID OUTLOT "C", A DISTANCE OF 488.08' TO A NORTH CORNER OF SAID OUTLOT "C"; THENCE N36°55'07"E, ON A NORTHWEST LINE OF SAID OUTLOT "C", A DISTANCE OF 176.75' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE N53°04'53"W, ON A SOUTHWEST LINE OF SAID OUTLOT "C", A DISTANCE OF 135.00' TO A WEST CORNER OF SAID OUTLOT "C", SAID POINT BEING ON A SOUTHEAST RIGHT-OF-WAY LINE OF RITZ PLACE; THENCE N36°55'07"E, ON A NORTHWEST LINE OF SAID OUTLOT "C", SAID LINE BEING A SOUTHEAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 15.00' TO A NORTH CORNER OF SAID OUTLOT "C", SAID POINT BEING ON A SOUTHWEST RIGHT-OF-WAY LINE OF BRYAN SHORE DRIVE; THENCE S53°04'53"E, ON A NORTHEAST LINE OF SAID OUTLOT "C", SAID LINE BEING A SOUTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 122.50' TO A POINT OF CURVATURE OF A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 36°55'27", A RADIUS OF 527.50', AN ARC LENGTH OF

339.95' ON A NORTH LINE OF SAID OUTLOT "C", SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 334.09', A TANGENT LENGTH OF 176.11', AND A CHORD BEARING OF S71°32'36"E, TO A POINT; THENCE N89°59'40"E, ON A NORTH LINE OF SAID OUTLOT "C", SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 1,184.26' TO A POINT OF CURVATURE OF A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 03°40'27", A RADIUS OF 647.50', AN ARC LENGTH OF 41.52' ON A NORTH LINE OF SAID OUTLOT "C", SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 41.52', A TANGENT LENGTH OF 20.77', AND A CHORD BEARING OF N88°09'27"E, TO A POINT; THENCE N86°19'13"E, ON A NORTH LINE OF SAID OUTLOT "C", SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 141.71' TO A POINT OF CURVATURE OF A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 88°32'35", A RADIUS OF 297.50', AN ARC LENGTH OF 459.75' ON A NORTHWEST LINE OF SAID OUTLOT "C", SAID LINE BEING A SOUTHEAST LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 415.35', A TANGENT LENGTH OF 290.03', AND A CHORD BEARING OF N42°02'56"E, TO A POINT; THENCE N02°13'22"W, ON A WEST LINE OF SAID OUTLOT "C", SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 244.18' TO A POINT OF CURVATURE OF A CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 02°04'02", A RADIUS OF 552.50', AN ARC LENGTH OF 19.94' ON A WEST LINE OF SAID OUTLOT "C", SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 19.93', A TANGENT LENGTH OF 9.97', AND A CHORD BEARING OF N01°11'20"W, TO A POINT; THENCE N00°09'19"W, ON A WEST LINE OF SAID OUTLOT "C", SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 642.42' TO A POINT; THENCE N89°51'26"E, A DISTANCE OF 79.99' TO A POINT OF INTERSECTION WITH AN EAST LINE OF SAID OUTLOT "C"; THENCE S00°08'34"E, ON A EAST LINE OF SAID OUTLOT "C", SAID LINE BEING A EAST LINE OF THE NORTH HALF OF SAID NORTHWEST QUARTER, A DISTANCE OF 6.57' TO THE NORTHEAST CORNER OF THE SOUTH HALF OF SAID NORTHWEST QUARTER; THENCE S00°09'19"E, ON A EAST LINE OF SAID OUTLOT "C", SAID LINE BEING THE EAST LINE OF THE SOUTH HALF OF SAID NORTHWEST QUARTER, A DISTANCE OF 1,323.78' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 379,753.29 SQUARE FEET OR 8.72 ACRES, MORE OR LESS.

Findings: The proposed annexation meets the Future Land Use Plan, and is in conformance with the Comprehensive Plan, Blueprint for Tomorrow.

RITZ LAKE ANNEXATION



1111 Lincoln Mall, Suite 111
P.O. Box 84608
Lincoln, NE 68501-4608

TEL 402.474.6311
FAX 402.474.5160

[illegible]

ANNEXATION	
RITZ LAKE	
FREMONT, NEBRASKA	2014

Staff Report

TO: Planning Commission
FROM: Justin Zetterman, City Engineer / Interim Planning Director
DATE: October 10, 2014
SUBJECT: Annexation of the Brooks Hollow Addition

Recommendation: Make recommendation to approve the annexation

Background: The City of Fremont requests the annexation of property located in the SW1/4 SW1/4 of Section 18, Township 17 North, Range 9 East of the 6th P.M., Dodge County, Nebraska, more particularly described below. The Developer and Project Engineer are in support of this annexation.

A PARCEL OF LAND LOCATED IN THE SW1/4 OF THE SW1/4 OF SECTION 18, TOWNSHIP 17 NORTH, RANGE 9 EAST OF THE 6TH P.M., DODGE COUNTY NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMENCING AT THE SOUTHWEST CORNER OF SAID SW ¼ OF THE SW ¼; THENCE N89°53'10"E (ASSMED BEARING) ALONG THE SOUTH LINE OF SAID SW ¼ OF THE SW ¼ A DISTANCE OF 25.00 FEET TO THE EAST LINE OF LUTHER ROAD AND THE POINT OF BEGINNING; THENCE N00°03'55"E ALONG THE EAST LINE OF LUTHER ROAD A DISTANCE OF 756.14 FEET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF BRENTWOOD PARK FOURTH ADDITION; THENCE N89°58'27"E ALONG THE SOUTH LINE OF BRENTWOOD PARK FOURTH ADDITION AND THE WESTERLY EXTENSION THEREOF A DISTANCE OF 369.19 FEET; THENCE S00°01'33"E A DISTANCE OF 55.53 FEET; THENCE S58°58'49"E A DISTANCE OF 69.54 FEET; THENCE S27°56'28"E A DISTANCE OF 96.64 FEET; THENCE S07°56'01"E A DISTANCE OF 100.70 FEET; THENCE S26°02'42"W A DISTANCE OF 98.57 FEET; THENCE S69°58'19"E A DISTANCE OF 124.62 FEET; THENCE S68°15'13"E A DISTANCE OF 55.03 FEET; THENCE S75°01'34"E A DISTANCE OF 76.34 FEET; THENCE S00°06'50"E A DISTANCE OF 137.10 FEET; THENCE S12°17'59"E A DISTANCE OF 56.27'; THENCE S00°06'50"E A DISTANCE OF 115.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SW ¼ OF THE SW ¼ ; THENCE S89°53'10"W ALONG SAID SOUTH LINE A DISTANCE OF 700.00 FEET TO THE POINT OF BEGINNING; CONTAINING 9.69 ACRES, MORE OR LESS.

Findings: The proposed annexation meets the Future Land Use Plan, and is in conformance with the Comprehensive Plan, Blueprint for Tomorrow.

FINAL PLAT OF
Brooks Hollow Addition

TO THE CITY OF FREMONT, NEBRASKA.

PART OF THE SW1/4 SW1/4 OF SECTION 18, TOWNSHIP 17 NORTH,
RANGE 9 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA.

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SW1/4SW1/4 OF SECTION 18, TOWNSHIP 17 NORTH, RANGE 9 EAST OF THE 6TH P.M., DODGE COUNTY NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SW1/4SW1/4; THENCE N89°53'10"E (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID SW1/4SW1/4 A DISTANCE OF 25.00 FEET TO THE EAST LINE OF LUTHER ROAD AND THE POINT OF BEGINNING; THENCE N00°03'55"E ALONG THE EAST LINE OF LUTHER ROAD A DISTANCE OF 756.14 FEET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF BRENTWOOD PARK FOURTH ADDITION; THENCE N89°58'27"E ALONG THE SOUTH LINE OF BRENTWOOD PARK FOURTH ADDITION AND THE WESTERLY EXTENSION THEREOF A DISTANCE OF 369.19 FEET; THENCE S00°01'33"E A DISTANCE OF 55.53 FEET; THENCE S58°58'40"E A DISTANCE OF 69.54 FEET; THENCE S27°56'28"E A DISTANCE OF 96.64 FEET; THENCE S07°56'01"E A DISTANCE OF 100.70 FEET; THENCE S26°02'42"W A DISTANCE OF 98.57 FEET; THENCE S69°58'19"E A DISTANCE OF 124.62 FEET; THENCE S68°15'13"E A DISTANCE OF 55.03 FEET; THENCE S75°01'34"E A DISTANCE OF 76.34 FEET; THENCE S00°06'50"E A DISTANCE OF 137.10 FEET; THENCE S12°17'59"E A DISTANCE OF 56.27 FEET; THENCE S00°06'50"E A DISTANCE OF 115.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SW1/4SW1/4; THENCE S89°53'10"W ALONG SAID SOUTH LINE A DISTANCE OF 700.00 FEET TO THE POINT OF BEGINNING; CONTAINING 9.69 ACRES, MORE OR LESS.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT CHARLES H. DIERS, AND MARY LOU DIERS, HUSBAND AND WIFE, AND CHARLES H. DIERS, L.L.C., CHARLES H. DIERS, PRESIDENT; OWNERS AND PROPRIETORS OF THE TRACT OF LAND SHOWN AND DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE DIVIDED INTO LOTS AND BLOCKS, SAID SUBDIVISION TO BE KNOWN AS BROOKS HOLLOW ADDITION, THE LOTS AND BLOCKS TO BE NUMBERED AS SHOWN AND APPROVE OF THE DISPOSITION OF THE PROPERTY AS SHOWN ON THIS PLAT AND HEREBY DEDICATE TO THE PUBLIC FOR PERPETUAL PUBLIC USE THE STREETS TO BE KNOWN AS BROOKS HOLLOW DRIVE, SUMMERWOOD DRIVE, SUMMERWOOD COVE, ABERDEEN STREET AND LUTHER ROAD AT THE LOCATIONS AND TO THE WIDTHS SHOWN HEREON AND HEREBY GRANT PERPETUAL EASEMENTS AT THE LOCATIONS AND TO THE WIDTHS SHOWN HEREON TO THE CITY OF FREMONT, ANY PUBLIC OR PRIVATE UTILITY COMPANY, AND FOR THE USE OF ABUTTING PROPERTY OWNERS, FOR THE SOLE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF UTILITY LINES AND PIPES AND DRAINAGE FACILITIES. NO PERMANENT BUILDING OR RETAINING WALL SHALL BE PLACED IN THE ABOVE DESCRIBED EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREIN GRANTED.

IN WITNESS WHEREOF, WE DO HEREBY SET OUR HANDS THE
____ DAY OF _____, 2014, A.D.

CHARLES H. DIERS, PRESIDENT
FOR: CHARLES H. DIERS, LLC

CHARLES H. DIERS MARY LOU DIERS

ACKNOWLEDGMENT

STATE OF NEBRASKA)
COUNTY OF DODGE) SS

ON THIS _____ DAY OF _____, A.D. 2014, BEFORE ME, A GENERAL NOTARY PUBLIC, PERSONALLY APPEARED CHARLES H. DIERS, PRESIDENT OF CHARLES H. DIERS, L.L.C., WHO IS KNOWN TO ME TO BE THE IDENTICAL PERSON WHOSE NAME APPEARS ON THE FOREGOING DEDICATION, AND WHO HEREBY ACKNOWLEDGES THE SIGNING OF SAID INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND OFFICIAL SEAL DATE LAST AFORESAID.

GENERAL NOTARY PUBLIC

COMMISSION EXPIRES _____

ACKNOWLEDGMENT

STATE OF NEBRASKA)
COUNTY OF DODGE) SS

ON THIS _____ DAY OF _____, A.D. 2014, BEFORE ME, A GENERAL NOTARY PUBLIC, PERSONALLY APPEARED CHARLES H. DIERS AND MARY LOU DIERS WHO ARE KNOWN TO ME TO BE THE IDENTICAL PERSONS WHOSE NAMES APPEAR ON THE FOREGOING DEDICATION, AND WHO HEREBY ACKNOWLEDGE THE SIGNING OF SAID INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND OFFICIAL SEAL DATE LAST AFORESAID.

GENERAL NOTARY PUBLIC

COMMISSION EXPIRES _____

PLANNING COMMISSION APPROVAL

ON THIS _____ DAY OF _____, A.D. 2014, THIS PLAT OF DEER POINT THIRD ADDITION WAS APPROVED AND ACCEPTED BY THE PLANNING COMMISSION OF THE CITY OF FREMONT, DODGE COUNTY, NEBRASKA.

CHAIR

CITY COUNCIL ACCEPTANCE

ON THIS _____ DAY OF _____, A.D. 2014, THIS PLAT OF DEER POINT THIRD ADDITION WAS APPROVED AND ACCEPTED BY RESOLUTION OF THE CITY COUNCIL THE CITY OF FREMONT, DODGE COUNTY, NEBRASKA.

MAYOR

CLERK

NOTES:

- THE FOLLOWING VALUES WERE USED UNLESS OTHERWISE NOTED:
STREET RIGHT-OF-WAY WIDTH = 55.00'
FRONT YARD SETBACK = 25'
STREET SIDE YARD SETBACK = 15'
EASEMENT WIDTH = 10'
- ALL NEW LOT CORNERS, CHANGES IN DIRECTION AND THE BEGINNING AND ENDS OF CURVES ARE MARKED WITH 3/4" X 24" REBARs WITH PLASTIC "LS 503" CAPS.
- NO PRIVATE DRIVEWAY CONNECTIONS PERMITTED TO LUTHER ROAD.
- FOR DETAILED INFORMATION ON FOUND MONUMENTS AND SECTION CORNERS SEE RECORD SURVEY BY DODD, LS-503 DATED 6/23/2014.

CURVE TABLE

#	RADIUS	ARC LEN	CH LEN	CH BEARING	DELTA
C1	1000.00'	125.73'	125.65'	N86°27'47"E	71°21'5"
C2	500.00'	122.67'	122.57'	S07°00'50"E	14°04'49"
C3	500.00'	123.22'	122.90'	S06°59'40"E	14°07'10"
C4	200.00'	314.78'	283.28'	S45°01'27"E	90°10'45"
C5	800.00'	127.96'	127.82'	S04°41'46"E	9°09'52"
C6	400.00'	203.77'	201.58'	S05°18'57"W	2°31'17"
C7	20.00'	31.59'	28.40'	S45°10'38"E	90°29'06"
C8	957.50'	112.70'	112.63'	N86°12'30"E	6°44'33"
C9	20.00'	28.89'	26.44'	S41°27'03"W	82°46'16"
C10	472.50'	116.44'	116.14'	S06°59'40"E	14°07'10"
C11	527.50'	129.61'	129.28'	S07°00'55"E	14°04'40"
C12	472.50'	116.14'	115.85'	S07°00'45"E	14°05'00"
C13	527.50'	78.08'	78.01'	S09°48'49"E	8°28'51"
C14	20.00'	29.45'	26.86'	N47°45'14"W	84°21'41"
C15	20.00'	17.70'	17.13'	N64°42'49"E	50°42'13"
C16	55.00'	270.13'	69.67'	S00°03'55"W	281°24'25"
C17	20.00'	17.70'	17.13'	N64°43'59"W	50°42'13"
C18	20.00'	31.42'	28.28'	S45°03'55"W	90°03'00"
C19	172.50'	271.50'	244.33'	S45°01'27"E	90°10'45"
C20	20.00'	31.87'	28.61'	N44°13'47"E	91°18'47"
C21	427.50'	160.08'	159.15'	S09°18'02"W	21°27'18"
C22	372.50'	140.14'	139.31'	S08°59'48"W	21°33'18"
C23	20.00'	30.83'	27.87'	N45°56'50"W	88°19'59"
C24	20.00'	33.45'	29.68'	S41°58'43"W	95°48'55"
C25	827.50'	83.99'	83.95'	N03°01'17"W	5°48'55"
C26	772.50'	88.34'	88.30'	S03°23'24"E	6°33'08"
C27	20.00'	29.13'	26.62'	N48°23'24"W	83°26'52"
C28	227.50'	106.65'	105.67'	N76°41'04"W	26°51'31"
C29	20.00'	28.48'	26.14'	N75°56'51"E	81°35'41"
C30	55.00'	190.09'	108.64'	N45°50'25"W	198°01'10"
C31	20.00'	28.48'	26.14'	S12°22'20"W	81°35'41"
C32	227.50'	34.01'	33.98'	S24°08'33"E	8°33'55"
C33	20.00'	26.99'	24.98'	S58°30'51"E	7°13'32"
C34	1034.50'	122.82'	122.75'	S86°13'58"W	6°48'09"
C35	20.00'	31.27'	28.18'	N44°50'59"E	89°34'08"

LEGEND

- SECTION LINE
- LOT LINE EXISTING
- LOT LINE PROPOSED
- SETBACK LINE
- EASEMENT LINE EXISTING
- EASEMENT LINE PROPOSED
- CENTERLINE
- FUTURE LOT LINE
- C1 CURVE NUMBER

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY AS THE UNDERSIGNED REGISTERED LAND SURVEYOR, THAT I HAVE SURVEYED THE TRACT OF LAND SHOWN AND DESCRIBED HEREON, AND THAT PERMANENT MARKERS HAVE BEEN FOUND OR WILL BE SET AS DESCRIBED HEREON, WITHIN 60 DAYS OF THE FILING OF THIS PLAT AT THE DODGE COUNTY REGISTER OF DEEDS OFFICE.

STEPHEN W. DODD, LS-503



Brooks Hollow Addition
TO THE CITY OF FREMONT
DODGE COUNTY, NEBRASKA

FINAL PLAT

STAFF REPORT

TO: Planning Commission

FROM: Justin Zetterman, City Engineer / Interim Planning Director

DATE: November 12, 2014

SUBJECT: Request to approve a conditional use permit to allow for Downtown Residential use in a Downtown Commercial Zoning District.

Recommendation: Staff recommends approval of the Conditional Use Permit
--

Background:

This request is for an existing building located at 114 East Military Avenue, the Dragonfly building. The owner, Jill Crithfield would like to have a business on the first floor of the building and use the upper floors as a residence.

The area is zoned DC – Downtown Commercial, as is all ground immediately adjacent. A Downtown Residential Use, defined as “The use of upper levels above street level of a building within the Central Business District of the City of Fremont for single or multi-family residential uses”, is allowed at this location by Conditional Use Permit. Downtown Residential uses are only allowed within the area defined as the “Main Street Fremont Plan Area as set forth in the City’s 1999 Comprehensive Development Plan”. This particular parcel resides within this area.

Findings:

The proposed conditional use will be in compliance with the requirements of the DC – Downtown Commercial zoning district as well as meeting the intent of the Future land Use Plan, and is in conformance with the proposed Comprehensive Plan, Blueprint for Tomorrow.

	CRITERIA	Compliance
Land Use Compatibility		
Development Density	Site area per unit or floor area ratio should be similar to surrounding uses if not separated by major natural or artificial features.	Yes
Height and Scale		
Height and Bulk	Development should minimize differences in height and building size from surrounding structures. Differences should be justified by urban design considerations.	Yes
Setbacks	Development should respect pre-existing setbacks in surrounding area. Variations should be justified by site or operating characteristics.	Yes
Building Coverage	Building coverage should be similar to that of surrounding development of possible. Higher coverage should be mitigated by landscaping or site amenities.	Yes

Site Development		
Frontage	Project frontage along a street should be similar to lot width.	Yes
Parking and Internal Circulation	Parking should serve all structures with minimal conflicts between pedestrians and vehicles.	Yes
	All structures must be accessible to public safety vehicles.	Yes
	Development must have access to adjacent public streets and ways. Internal circulation should minimize conflicts and congestion at public access points.	Yes
Landscaping	Landscaping should be integral to the development, providing street landscaping, breaks in uninterrupted paved areas, and buffering where required by surrounding land uses. Parts of site with sensitive environmental features or natural drainage ways should be preserved.	Yes
Building Design		
	Architectural design and building materials should be compatible with surrounding areas or highly visible locations	Yes
Operating Characteristics		
Traffic Capacity	Project should not obstruct traffic on adjacent streets. Compensating improvements will be required to mitigate impact on street system operations.	Yes
External Traffic Effects	Project design should direct non-residential traffic away from residential areas.	Yes
Operating Hours	Projects with long operating hours must minimize effects on surrounding residential areas.	Yes
Outside Storage	Outside storage areas must be screened from surrounding streets and less intensive land uses.	Yes
Public Facilities		
Sanitary Waste Disposal	Developments within 500 feet of a public sanitary sewer must connect to sewer system. Individual disposal systems, if permitted, shall not adversely affect public health, safety, or welfare.	Yes
	Sanitary sewer must have adequate capacity to serve development.	Yes
Utilities	Project must be served by utilities.	Yes
	Rural estate subdivisions should be located in designated areas which can accommodate utility and infrastructure installation consistent with the need to protect the environment and public health.	NA
Comprehensive Plan		
	Projects should be consistent with the City of Fremont's Comprehensive Development Plan.	Yes



